

MEMORANDUM

Amended
Special Item No. 4

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

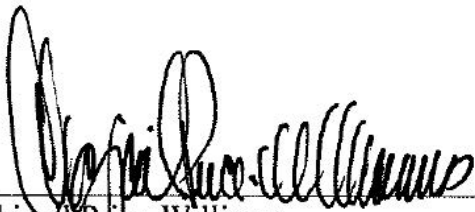
DATE: August 4, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to develop and implement a procedure for the recapture and reallocation of funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to ensure that the funds are expended by the current December 30, 2020 expenditure deadline; authorizing the County Mayor to negotiate and execute any documents necessary to carry out the purposes of this resolution; and requiring reports

Resolution No. R-778-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss, and Co-Sponsors Commissioner Daniella Levine Cava, Commissioner Jose "Pepe" Diaz, Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Eileen Higgins, Commissioner Barbara J. Jordan and Vice Chairwoman Rebeca Sosa.



Abigail Price-Williams
County Attorney

APW/smm

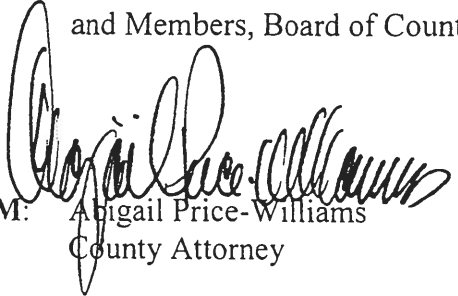


MEMORANDUM

(Revised)

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____	Mayor _____	Amended Special Item No. 4
Veto _____		8-4-20
Override _____		

RESOLUTION NO. R-778-20

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO DEVELOP AND IMPLEMENT A PROCEDURE FOR THE RECAPTURE AND REALLOCATION OF FUNDS MADE AVAILABLE THROUGH THE 2020 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) TO ENSURE THAT THE FUNDS ARE EXPENDED BY THE CURRENT DECEMBER 30, 2020 EXPENDITURE DEADLINE; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND REQUIRING REPORTS

WHEREAS, coronavirus disease 2019 (“COVID-19”) is an infectious disease caused by severe acute respiratory syndrome coronavirus 2, a novel coronavirus that was first identified in December 2019; and

WHEREAS, the disease has spread globally, and on March 11, 2020, the World Health Organization officially declared COVID-19 a pandemic; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order No. 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on March 11, 2020, Mayor Carlos A. Gimenez declared a state of emergency for Miami-Dade County as a result of COVID-19; and

WHEREAS, these orders have since been extended; and

WHEREAS, as of July 31, 2020, the total number of confirmed cases of COVID-19 worldwide is over 17 million, with more than 4.4 million of those in the United States; and

WHEREAS, in response to the COVID-19 pandemic, public health officials and the CDC encouraged “social distancing” to reduce the spread of the virus; and

WHEREAS, to enforce social distancing, Governor DeSantis and Mayor Gimenez have issued executive and emergency orders restricting businesses' and residents' activities in order to prevent the spread of COVID-19; and

WHEREAS, while these precautions were established to keep people safe, they have a negative financial impact on many County businesses and residents; and

WHEREAS, indeed, more than 44.2 million Americans have filed for unemployment since March 2020; and

WHEREAS, to help blunt the impact of the economic downturn set in motion by the COVID-19 pandemic, the United States Congress passed, and on March 27, 2020 President Donald Trump signed into law, H.R. 748, the "Coronavirus Aid, Relief, and Economic Security Act" (the "CARES Act"); and

WHEREAS, the CARES Act is a \$2 trillion stimulus package; and

WHEREAS, the State of Florida was allocated \$8.328 billion from the Coronavirus Relief Fund, of which the County received \$474 million; and

WHEREAS, the Coronavirus Relief Fund monies must be used by December 30, 2020, and any unused funds must be returned to the federal government; and

WHEREAS, given the overwhelming need within the County, it is not in the best interest of the residents of the County that any funds be returned to the federal government; and

WHEREAS, to ensure that no funds are returned to the federal government the County needs to implement a procedure for recapturing unspent funds and reallocating those funds where they will be expended prior to the current December 30, 2020 deadline for expenditure; and

WHEREAS, requiring the County Mayor or County Mayor's designee to develop and implement such a procedure will help to ensure timely expenditure of the funds,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated herein by reference and adopted.

Section 2. This Board directs the County Mayor or County Mayor's designee to develop and implement a procedure for the recapture and reallocation of funds made available through the 2020 Coronavirus Aid, Relief, And Economic Security Act (CARES Act) to ensure that the funds are expended by the current December 30, 2020 expenditure deadline date.

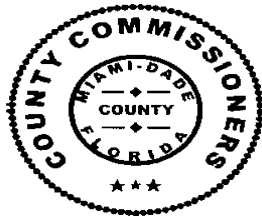
Section 3. Authorizes the County Mayor or County Mayor's designee to negotiate and execute any documents necessary to carry out the purposes of this resolution, following approval of such documents by the County Attorney's office for legal form and sufficiency.

Section 4. Directs the County Mayor or County Mayor's designee to provide a written report to this Board within 14 days of the effective date of this resolution detailing the status of the development and implementation of the procedure or explaining why it has not been developed or implemented. Upon implementation, the County Mayor or County Mayor's designee shall provide a written report to this Board every 14 days, until December 30, 2020 or such other deadline date as the federal government may determine, detailing the actions taken pursuant to the procedure. The County Mayor or County Mayor's designee shall place the completed reports on agendas of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss, and the Co-Sponsors are Commissioner Daniella Levine Cava, Commissioner Jose "Pepe" Diaz, Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Eileen Higgins, Commissioner Barbara J. Jordan and Vice Chairwoman Rebeca Sosa. It was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	aye		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of August, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Shannon D. Summerset-Williams